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REMARKS

Claims 1-22 remain pending in the application including independent claims 1, 9, 17 and 18. Claims 23-25 have been cancelled and new claims 26-28 have been added including independent claim 27.

Claims 1-8 have been allowed. Claim 14 is indicated as allowable if rewritten in independent form. Claim 14 has been so amended and thus should now be in condition for allowance.

Claims 9-10, 13, 15, and 23 stand rejected under 35 U.S.C. 102(b) as being anticipated by Oehrle et al. (US 4667966). Claims 11-12, 24, and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Oehrle in view of Hermann et al. (US 4701376). Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Oehrle in view of Schmidhuber et al. Claims 17-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kohout et al. in view of Oehrle. These rejections are moot in light of the amendments made to the claims, which will be discussed in detail below.

Independent claim 9 has been amended to include the features that the sealing side is opposite the reverse side of the resilient sealing profile. Claim 9 has also been amended to clarify that the protruding portion contacts a vehicle part and that the connecting member is a movable member separate from the vehicle part that displaces the protruding portion during movement.

Oehrle does not disclose, suggest, or teach these features. Oehrle discloses a sealing side with the sealing surface forming a protrusion that contacts a sliding cover 4 opposite the reverse side, which contacts the roof 2. The sealing surface that faces the sliding cover 4 is covered with

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a coating 5. Oehrle does not show a sliding strip distanced from a protruding portion for contacting a vehicle part where a connecting member displaces the protruding portion during movement. The portion of the sealing profile that lies at an upper left side of the seal in Figure 2 of Oehrle cannot contact both a vehicle part and a moveable connecting member, and further is not displaced by the moveable connecting member as claimed.

Further, the examiner argues that the sliding cover 4 of Oehrle corresponds to the connecting member. As discussed above, claim 9 has been amended to clarify that the connecting member is separate from the vehicle part that contacts the sliding strip. Thus, applicant asserts that claims 9-13, 15-16, and 26 are now in condition for allowance.

Independent claim 17 has been amended to include the feature that the first resilient sealing profile is attached to a first vehicle part, the second resilient sealing profile is attached to a second vehicle part, and clarifies that the sealing sides are opposed to a reverse side of each sealing profile. Claim 17 has also been amended to clarify that the moveable connecting member is separate from both the first and second vehicle parts and that the connecting member contacts the sliding strips and displaces the sealing surface during movement without contacting either sealing surface. Neither Kohout nor Oehrle discloses this configuration.

Kohout discloses two sealing profiles 14, 15 between which a support lever 11 extends. Each sealing profile 14, 15, has a reverse side attached to a vehicle part 10, 6 and an opposing sealing side with a sealing surface where the sealing surfaces are in contact with the support lever 11. Oehrle teaches to provide a sliding strip 5 that covers the sealing surfaces. At best, any modification of Kohout based on teachings from Oehrle would include covering the sealing

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surfaces of the sealing profiles 14, 15 of Kohout that face the support lever 11 with a coating strip 5.

The "sealing surface" of Oehrle identified by the examiner is located on the sealing profile on a face opposite the front sealing surface and is separated by the front sealing surface by the bulk of the hollow seal body. In a seal arrangement such as that shown in Kohout, this sealing surface of Oehrle as identified by the examiner, would not be capable of contacting the support lever, i.e. no sealing function would be provided between such a sealing surface and the lever.

Claim 17 states that while the sealing surfaces of the first and second resilient sealing profiles are pressed against each other, the sliding strip on each resilient sealing profile is mounted at a distance from the sealing surface of each profile, and the connecting member protruding between the profiles only contacts the sliding strips but is distanced from the sealing surfaces. As the sealing surfaces are displaced when the connecting member passes, no contact occurs between the sealing surfaces and the connecting member. This reduces the wear and tear of the seal. Neither Kohout nor Oehrle disclose this combination of features.

Independent claim 18 has been amended to clarify that the sealing side is opposed to the reverse side of the seal and that the sealing surface is for contacting a vehicle part. Claim 18 has also been amended to include the feature that the sliding strip is mounted distanced from this sealing surface and that the connecting member is separate from the vehicle part and displaces the sealing surface during movement. Neither Kohout nor Oehrle disclose this combination of features.

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As discussed above, the examiner has argued that the sliding cover 4 of Oehrle corresponds to the connecting member. Claim 18 has been amended to clarify that the connecting member is separate from the vehicle part that contacts the sliding strip. This is clearly different than that which is shown in Oehrle. Further, Oehrle does not show that the sealing surface is displaced during movement of the cover. Finally, the sliding strip in Oehrle is clearly not distanced from a sealing surface as defined in claim 18. Thus, applicant asserts that claims 18-22 are now in condition for allowance.

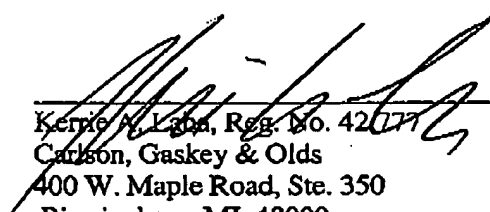
Applicant has also added new independent claim 27. This claim includes the feature that the sliding strip is mounted on the sealing side distanced from the protruding portion. Claim 27 also states that the connecting member is movable, is separate from the first and second vehicle parts, and is arranged on the same side of the protruding portion as the second vehicle part wherein the connecting member contacts the sliding strip and is spaced away from the sealing surface. For the reasons set forth above, none of the references disclose, suggest, or teach this combination of features.

Applicant asserts that all claims are now in condition for allowance and respectfully requests an indication of such. Fees in the amount of \$200.00 for one additional independent claim may be charged to Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds. Applicant believes that no additional fees are due, however, if additional fees are required the

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Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds.


Respectfully submitted,


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 273-8300, on July 20, 2005.


Laura Combs